IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.18115 of 2001

Between:

Toddy Tappers Cooperative Society, New Bhoiguda, Bhoiguda Rep. by its President, Sri. P.Parameswar Goud, Secunderabad.

..... PETITIONER

AND

1.The Proh. & Excise Superintendent Cum Functional Registrar Toddy Tappers Coop. Societies, Hydeabad District at Narayanaguda, Hyderabad

2.The Dy. Commissioner for Proh. & Excise, Hyderabad Division at Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction, declaring Cr.No.B1/5110/2000/ESH, dt.13.12.2000 of the first Respondent in rejecting the representation dt.12-10-2000 and the general body resolution dt.24-9-2000 showing amendment of byelaws No.1, specifying the area of operation in respect of TCS New Bhoiguda covering its surrounding localities like 1.New Bhoiguda, 2. Bholakpur, 3.Mekala Mandi, 4. Cha Cha Nagar, 5. Regimental Bazar, 6.St.John's Road, 7. Parki Basthi, 8. Rifle Gunjalias Rifle Range, 9. Bansilalpet and 10. Hyderbasthi of Secunderabad area as illegal, arbitrary, contrary to sec. 16(4) of A.P.C.S.Act, and Rule-10 of A.P.C.S.Rules and further direct the respondents to amend the byelaw No.1 of TCS New Bhoiguda Specifying its area of operation in respect of TCS New Bhoiguda covering its surroundieng localities like 1.New Bhoiguda, 2.Bholakpur, 3.Mekala Mandi, 4. Cha Cha Nagar, 5. Regimental Bazar, 6.St.John's Road, 7. Parki Basthi, 8. Rifle Gunjalias Rifle Range, 9. Bansilalpet and 10. Hyderbasthi of Secunderabad area as illegal, arbitrary, contrary to sec. 16(4) of A.P.C.S.Act, and Rule-10 of A.P.C.S.Rules by suspending the operation of Cr.No. B1/5110/2000/ESH, dt.13-12-2000 of the first Respondent.

Counsel for the Petitioner: MR.AMARNATH GOUD THODUPUNURI

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following:

ORDER:

Toddy Tappers Cooperative Society, Bhoiguda, Secunderabad assails the proceedings of the first respondent dated 13.12.2000 whereby and whereunder the first respondent refused allow the amendment made to the byelaws of the society, in its general body meeting on 24.9.2000. By reason of the amendment proposed to the byelaws, the petitioner sought to include as many as ten new localities in its area of operation. Whatever be the merits of the case, in view of the changed policy of the Government, not permitting any toddy tapper or any toddy tappers cooperative societies in Twin cities of Hyderabad and Secunderabad, the question raised has become academic. Therefore, the writ petition is dismissed as withdrawn as requested by the learned Counsel for the petitioner with liberty to the society to amend its byelaws in accordance with the provisions of A.P. Cooperative Societies Act, 1964 and A.P. Cooperative Societies Rules, 1964.

The writ petition is, accordingly, dismissed as withdrawn.

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(**V.V.S.RAO,J**)

June 29, 2005.

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To

1. The Proh. & Excise Superintendent Cum Functional Registrar

   Toddy Tappers Coop. Societies, Hydeabad District at

   Narayanaguda, Hyderabad

2. The Dy. Commissioner for Proh. & Excise, Hyderabad Division at

   Nampally, Hyderabad.

3. Two CCs to the Government Pleader for Prohibition & Excise,

High Court Buildings, Hyderabad. (OUT)

4. Two CD Copies.